

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: <u>1/15/04</u>		2 Serial/Patent # <u>09/506,430</u>										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
	Extension of Time			\$								
	Notice of Appeal/Appeal			\$								
<input checked="" type="checkbox"/>	Petition	<i>None</i>	<i>10/2/03</i>	\$ 665.00 <i>665.00</i>								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
	Maintenance			\$								
	Assignment			\$								
	Other			\$								
		7 TOTAL AMOUNT OF REFUND		\$ <i>665.00</i>								
		8 TO BE REFUNDED BY:										
10 REASON:		Treasury Check										
	Overpayment	<input checked="" type="checkbox"/> Credit Deposit A/C #:										
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">0</td> <td style="width: 20px;">2</td> <td style="width: 20px;">--</td> <td style="width: 20px;">4</td> <td style="width: 20px;">8</td> <td style="width: 20px;">0</td> <td style="width: 20px;">0</td> </tr> </table>				0	2	--	4	8	0	0
0	2	--	4	8	0	0						
<input checked="" type="checkbox"/>	No Fee Due (Explanation):											
<i>TC withdrew the holding of abandonment</i>												
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: <u>Paul Shaposhnik</u>			TITLE: <u>Attorney</u>									
SIGNATURE: <u><i>Paul Shaposhnik</i></u>			PHONE: <u>305-0011</u>									
OFFICE: <u><i>Office of Petitions</i></u>												
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****												
APPROVED: <u><i>[Signature]</i></u>			DATE: <u><i>1/15/04</i></u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



MAIL STOP PETITIONS

Group Art Unit: 1653

Examiner: David Lukton

Confirmation No.: 6441

UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

**Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice, March 2, 2003.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

1. Please charge the Petition fee of \$665.00 (37 CFR 1.17(m)) to Deposit Account No. 02-4800.
2. Response to the Office Action dated December 2, 2002, is enclosed herein.
3. Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

Adjustment date: 01/15/2004 AKELLEY
10/07/2003 SLUANG1 00000009 024800 09506430
01 FC:2453 665.00 CR
10/07/2003 SLUANG1 00000009 024800 09506430
01 FC:2453 665.00 DR

Date: 01/15/2004
Adjustment Date: 01/15/2004
SLUANG1 00000009 0--800
665.00 CR

4. Statement: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37. CFR 1.137(b) was unintentional. Applicant was first notified on July 10, 2003 that the application is abandoned.

If any issues remain, the Examiner is encouraged to telephone the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02 4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Sherry M. Carty
Sherry M. Carty
Registration No. 51,534

P.O. Box 1404
Alexandria, Virginia 22313-1404
(919) 941-9240

Date: Oct. 2, 2003

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS EXPRESS MAIL NUMBER EV171050440US, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA., 22313-1450, ON:

Date: October 2, 2003

By: Sandra B. Paye
Sandra B. Paye